

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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BENJAMIN FARKAS, JULIE FARKAS, and  
SILPAN PATEL,

Plaintiffs,

**Civil Action 1:16-cv-07357**

- v. -

**STIPULATION AND ORDER**

MATERIALS LIFECYCLE MANAGEMENT  
COMPANY f/k/a/ INTERNATIONAL PAPER  
PRODUCTS CORPORATION, MARK A. DUPUIS,  
STEPHEN P. WOICK, JOHN B. ROCHE, WILLIAM  
L. PHILLIPS, DANIEL A. COLUSSY, and HIGH  
HAMMOCK, LLC f/k/a/ BOHICKET MLMC, LLC,

Defendants.  
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**IT IS HEREBY STIPULATED** by and among counsel for the undersigned parties as follows:

1. On January 26, 2017, plaintiffs filed a notice of withdrawal (ECF Doc. No. 52), seeking to withdraw the pending motion for leave to amend, memorandum of law in support of motion for leave to amend and attached proposed amended complaint, filed as docket numbers 44-45.

2. Plaintiffs filed a second motion for leave to amend complaint on the same date (ECF Doc. No. 53). The parties have agreed to the following briefing schedule with respect to plaintiffs' latest filed motion for leave to amend (the "Motion to Amend"):

a. defendants shall file and serve opposition papers, if any, on or before February 9, 2017, and

b. plaintiffs shall file and serve reply papers, if any, on or before February 16, 2017.

3. The time for defendants to answer, serve a motion, or otherwise respond to either the amended complaint, in the case that plaintiffs prevail in the Motion to Amend, or the original complaint, in the case that plaintiffs do not prevail in the Motion to Amend, shall be fourteen (14) days from the date that the Court issues an order granting or denying the Motion to Amend, or the date that the Motion to Amend is otherwise disposed of.

4. During the pendency of the Motion to Amend, discovery shall be stayed in its entirety, and all deadlines set forth in the December 20, 2016 Case Management Plan and Scheduling Order (ECF Doc. No. 42) shall be adjourned, including the deadline for service of initial disclosures under Rule 26. The parties shall re-schedule all such deadlines and file a revised case management plan within fourteen (14) days from the date that the Court issues an order granting or denying the Motion to Amend, or the date that the Motion to Amend is otherwise disposed of.

Other than as set forth herein, all parties reserve all rights.

DATED: New York, New York  
January 27, 2017

RILEY SAFER HOLMES & CANCELLA  
LLP

WARD DAMON POSNER PHETERSON &  
BLEAU

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SO ORDERED:

Ronnie Abrams  
United States District Judge